UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF ALLOWANCE AND FEE(S) DUE

44654   7590   06/08/2009

SPRINKLE IP LAW GROUP
1301 W. 25TH STREET
SUITE 408
AUSTIN, TX 78705

EXAMINER
HAMZA, FARUK

ART UNIT	PAPER NUMBER
2455	

DATE MAILED: 06/08/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,080	06/10/2002	Stephen G. Dale	CROSS1490	7094

TITLE OF INVENTION: SYSTEM AND METHOD FOR INQUIRY CACHING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$0	$0	$1510	09/08/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

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10/064,080	06/10/2002	Stephen G. Dale	CROSS1490	7094

TITLE OF INVENTION: SYSTEM AND METHOD FOR INQUIRY CACHING

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nonprovisional	NO	$1510	$0	$0	$1510	09/08/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HAMZA, FARUK	2455	709-223000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❏ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❏ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ❏ Individual   ❏ Corporation or other private group entity   ❏ Government

4a. The following fee(s) are submitted:
❏ Issue Fee
❏ Publication Fee (No small entity discount permitted)
❏ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
❏ A check is enclosed.
❏ Payment by credit card. Form PTO-2038 is attached.
❏ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
❏ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
❏ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,080	06/10/2002	Stephen G. Dale	CROSS1490	7094

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 741 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 741 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	10/064,080	DALE ET AL.
	Examiner	Art Unit	
	FARUK HAMZA	2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *communication filed on 03/26/09*.

2. ☒ The allowed claim(s) is/are *1-4, 6, 8, 11-13, 15, 22-24, 26-28 and 30-34, renumbered as 1-21*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some*   c) ☐ None   of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
      Paper No./Mail Date _____.
   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
   Paper No./Mail Date 05/14/09
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
   Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the

changes and/or additions be unacceptable to applicant, an amendment may be

filed as provided by 37 CFR 1.312. To ensure consideration of such an

amendment, it MUST be submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in an interview

with attorney of record Katharina Schuster (Reg. No 50,000) on June 01, 2009.

3.   The application has been amended as follows:

a) In the Claims:

1.   (Currently Amended) A method for caching information about devices on a
network, the method comprising:

storing static or near-static data about a target device in a cache memory
coupled to a router, wherein the router is communicatively coupled to the target device,
wherein the target device is a sequential device, wherein the static or near-static data
about the target device comprises SCSI response data from the target device, and
wherein the router and the target device reside on the network;

receiving a request for the static or near-static data about the target device;

reading the static or near-static data about the target device from the cache
memory coupled to the router;

determining whether the target device is busy; and

if the target device is busy, providing at least a portion of the corresponding
stored static or near-static data about the target device in response to the request to
prevent failure caused by the target device not being able to respond within a
predetermined amount of time, and, if the target device is not busy, providing the static
or near-static data about the target device returned by the target device.

Claim 5 is canceled.

6.   (Currently Amended) The method of claim [[5]]1, wherein if the target device is not busy, <u>further comprising storing</u> the static or near-static data about the target device that is returned by the target device in response to the request ~~is stored~~ in the cache memory in place of previously stored data about the target device.

8.   (Currently Amended) ~~The~~ <u>A</u> method ~~of claim 1~~ <u>for caching information about devices on a network</u>, ~~further~~ comprising<u>:</u>

storing static or near-static data about each of a plurality of target devices[[,]] <u>in a cache memory coupled to a router, wherein the router is communicatively coupled to the plurality of target devices, wherein the plurality of target devices are sequential devices, wherein the static or near-static data about each of the plurality of target devices comprises SCSI response data from each of the plurality of target devices, and wherein the router and the plurality of target devices reside on the network</u>;

receiving <u>from one or more hosts coupled to the router one or more</u> requests for the static or near-static data about one or more of the plurality of target devices[[,]]<u>;</u>

determining whether the one or more of the plurality of target devices are busy<u>;</u> and[[,]]

for each of the one or more of the plurality of target devices that is busy, returning <u>at least a portion of</u> the corresponding stored static or near-static data about the corresponding target device, and, for each of the one or more of the plurality of target devices that is not busy, returning the corresponding static or near-static data about the corresponding target device returned by the corresponding target device.

11.   (Currently Amended) A device comprising:

a router configured to route data between one or more hosts and one or more target devices, wherein the one or more target devices are sequential devices; and

a cache memory coupled to the router;

wherein the router is configured to<u>:</u>

store static or near-static data about each of the one or more target devices ~~received from~~ <u>in</u> the ~~one or more target devices~~ <u>cache memory coupled to the router</u>, wherein the static or near-static data about each of the one or more target devices comprises SCSI response data from the one or more target devices[[,]]<u>;</u>

determine whether the one or more target devices is or are busy; and[[,]]

where a for each of the one or more target devices that is busy, [[to]] provide at least a portion of the corresponding stored static or near-static data about the target device in response to a request for the static or near-static data about the target device to prevent failure caused by the target device not being able to respond within a predetermined amount of time, and, for each of the one or more of target devices that is not busy, provide the corresponding static or near-static data about the target device returned by the target device.

13.   (Currently Amended) The device of claim 11, wherein the router is configured to: detect a request for the static or near-static data about the target device as the request is routed from a host to the target device; and

copying the static or near-static data about the target device which is returned by the target device in response to the request.

Claim 14 is canceled.

15.   (Currently Amended) The device of claim [[14]]11, wherein, if the target device is not busy, the router is configured to store the static or near-static data about the target device returned by the target device in response to the request in the cache memory in place of previously stored static or near-static data about the target device.

Claim 17 is canceled.

22.   (Currently Amended) A computer readable storage medium, wherein the computer readable storage medium contains one or more instructions which are executable by a processor to cause a computer to perform:

storing static or near-static data about a target device in a cache memory coupled to a router, wherein the router is communicatively coupled to the target device, wherein the target device is a sequential device, wherein the static or near-static data about the target device comprises SCSI response data from the target device, and wherein the router and the target device reside on the network;

receiving a request for the static or near-static data about the target device;

reading the static or near-static data about the target device from the cache

memory coupled to the router;

determining whether the target device is busy; and

if the target device is busy, providing the stored static or near-static data about

the target device in response to the request to prevent failure caused by the target

device not being able to respond within a predetermined amount of time, and, if the

target device is not busy, providing the static or near-static data about the target device

returned by the target device.

24.   (Currently Amended) The method of claim 23, wherein the identification

information specific to the target device includes a serial number of the target device, a

configuration of the target device, or a combination thereof.

        Claim 25 is canceled.

26.   (Currently Amended) The method of claim 1, wherein the static or near-static

data includes an indicator indicating that whether the target device is able or unable to

respond.

28.   (Currently Amended) The device of claim 27, wherein the identification

information specific to the target device includes a serial number of the target device, a

configuration of the target device, or a combination thereof.

        Claim 29 is canceled.

30.   (Currently Amended) The device of claim 11, wherein the static or near-static

data includes an indicator indicating whether the target device is able or unable to

respond.

31.   (New) The method of claim 8, further comprising collecting the static or near-

static data about each of the plurality of target devices prior to storing the static or near-

static data in the cache memory coupled to the router.

32.   (New) The method of claim 31, wherein collecting the static or near-static data

about each of the plurality of target devices comprises detecting the static or near-static

data about a target device as the static or near-static data is transmitted from the target device to a requesting host device.

33.   (New) The method of claim 31, wherein collecting the static or near-static data about each of the plurality of target devices comprises detecting a request for the static or near-static data about a target device as the request is routed from a host to the target device and copying the static or near-static data about the target device which is returned by the target device in response to the request.

34.   (New) The method of claim 8, further comprising:
storing the static or near-static data that is returned by a target device in the cache memory in place of previously stored data about the target device.

REASONS FOR ALLOWANCE

4.   The following is an examiner's statement of reasons for allowance: Claims 1-4, 6, 8, 11-13, 15, 22-24, 26-28 and 30-34 are allowable over the prior art of record.

The examiner had found that the prior art of record does not teach or suggest or render obvious "A method for caching information about devices on a network, the method comprising: storing static or near-static data about a target device in a cache memory coupled to a router, wherein the router is communicatively coupled to the target device, wherein the target device is a sequential device, wherein the static or near-static data about the target device comprises SCSI response data from the target device; determining whether the target device is busy; and if the target device is busy, providing at least a portion of the corresponding stored static or near-static data about the target device in

response to the request to prevent failure caused by the target device not being

able to respond within a predetermined amount of time, and, if the target device

is not busy, providing the static or near-static data about the target device

returned by the target device" as in claim 1, 8, 11 and 22.

5.   Any comments considered necessary by applicant must be submitted no

later than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled

"Comments on Statement of Reasons for Allowance or Examiner Amendment."

6.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Faruk Hamza whose telephone number is

571-272-7969. The examiner can normally be reached on Monday through

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/saleh najjar/
Supervisory Patent Examiner, Art Unit 2455